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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,031	11/17/2003	Yasuo Yoshida	402870	9722
23548	7590	02/16/2005	EXAMINER	
LEYDIG VOIT & MAYER, LTD 700 THIRTEENTH ST. NW SUITE 300 WASHINGTON, DC 20005-3960			MOHANDESI, IRAJ A	
			ART UNIT	PAPER NUMBER
			2834	

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/713,031

Applicant(s)

YOSHIDA ET AL.

Examiner

Iraj A. Mohandesi

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,9,11 and 12 is/are rejected.
- 7) ☒ Claim(s) 3,7,8 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/17/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 11/17/2003.

The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Claim Objections

3. Claims 4 and 5 are objected to because of the following informalities:

In claims 4 and 5 the word "smoothed" is indefinite and does not describe a technical function.

Examiner recommends replacing with "stabilizing or regulating " according to the explanation in the specification.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2834

5. Claims 1,2,4-9,11and12 are rejected under 35 U.S.C. 102(b) as being anticipated by **Lading 6,320,272**.

Regarding Claims 1, **Lading'272** discloses a wind turbine with wind velocity measurement system comprising: a wind power generator (column 4, line 36) and a laser (column 4,line 4) either mounted on said wind power generator or arranged near the wind power generator; wherein said laser observes direction and velocity of a wind blowing toward said wind power generator (column 4, lines 3-24), at least either yaw angle or pitch angle (column 4,line 12) of said wind power generator is controlled on the basis of results obtained by the observation, whereby output of the wind power generation system including the wind power generator is controlled (see column 33,lines 45-64).

Regarding Claims 2,4,5,11 and 12 **Lading'272** discloses a wind turbine with wind velocity measurement system having wind power generator, which is provided with a variable-speed generator, and number of rotations of said wind power generator is controlled on the basis of the results obtained by the observation of said laser (column 4, lines 50-65) and the output of the whole wind farm is smoothed (see Fig. 6 the induction delay, pitch controller and sensor inherently regulating the wind power generation system) on the basis of results obtained by observation of one or several laser arranged in said wind turbine and inherently electric power generating means connected to an electric power system ,wherein output of the wind power generation system including said wind power generator means is controlled on the basis: of results

Art Unit: 2834

obtained by the observation of said laser and output of the whole wind power generation system is regulated (column 4, line 11-24).

Regarding Claims 6, **Lading'272** discloses a wind turbine with wind velocity measurement system comprising: a wind power generator (column 4, line 36) and a laser (column 4, line 4) either mounted on said wind power generator or arranged near the wind power generator and an output-smoothing device connected to said wind power (see Fig. 4 the basic closed loop control system and 6 the induction generator including induction delay and sensor inherently regulating "smoothing" the wind power generation system) on the basis of results obtained by observation of one or several laser arranged in said wind turbine and inherently electric power generating means connected to an electric power system ,wherein output of the wind power generation system including said wind power generator means is controlled on the basis: of results obtained by the observation of said laser and output of the whole wind power generation system is regulated (column 4, line 11-24).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Lading 6,320,272** in view of **Mikami US patent 5,194,754**.

Art Unit: 2834

Lading'272 teaches all limitation of claimed invention except for output-smoothing device (stabilization device) is comprised of any of a storage battery, a reactive power compensator or an output-limiting resistor.

Mikami'754 an aero generator having an output-smoothing device (stabilization device) is comprised of a storage battery for the purpose of enhancing the stability of the electric power (brief summary Text-BSTX (29).

Therefor it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine **Lading'272** wind power generation with a storage battery, was taught by **Mikami'754** for the purpose of mentioned above.

Allowable Subject Matter

8. Claims 3,7,8 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter.

10. Regarding claims 3 and 10, the prior art of the record in particular **Lading, 272** in view of **Mikami '754** do not teach or suggest a supporting structure for a wind power generation system including inter alia ,a catching a scattered wave of the laser beam scattered by aerosol that exists at any position distant from said wind power generator at an arbitrary distance, floats in the air and moves on the wind at the same speed as the wind, and detecting a phase difference between said laser beam and a scattered wave thereof in terms of the Doppler effect. '

Regarding claim 7, the prior art of the record in particular **Lading, 272** in view of **Mikami '754** do not teach or suggest a supporting structure for a wind power generation system including inter alia, an output-smoothing device carries out output control so that output fluctuation in said wind power generation system is cancelled when the wind observed by said laser aero vane arrives at ' p said wind power generator.

Regarding claim 8, the prior art of the record in particular **Lading, 272** in view of **Mikami '754** do not teach or suggest a supporting structure for a wind power generation system including inter alia, a variable-speed generator, that carries out output control so that output frequency fluctuation and output voltage fluctuation in said wind power generation system are within a predetermined range.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Iraj A. Mohandesi whose telephone number is 571-272-2028. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2834

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IM February 9, 2005



DARREN SCHUBERG
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